

EXHIBIT "G"

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

REID I. TAMAYOSE and)
NADINE K. TAMAYOSE,)
Plaintiffs,)
vs.) CASE NO. CV10 00185
OPTION ONE MORTGAGE) JMS BMK
CORPORATION, its successors)
and assigns; H&R BLOCK)
BANK; RESIDENTIAL CREDIT) DEPOSITION OF
SOLUTIONS, INC.; and DOES) REID I. TAMAYOSE
1-30,) July 21, 2011
Defendants.)

)
RESIDENTIAL CREDIT)
SOLUTIONS, INC.,)
Third-Party)
Plaintiff,)
vs.)
OLD REPUBLIC TITLE &)
ESCROW OF HAWAII, LTD.,)
Third-Party)
Defendant.)
)

1 DEPOSITION OF REID I. TAMAYOSE,
2 Taken on behalf of Defendants Option One Mortgage
3 Corporation, now known as Sand Canyon Corporation,
4 and H&R Block Bank at American Savings Bank Tower,
5 1001 Bishop Street, 20th Floor, Honolulu, Hawaii
6 96813, commencing at 9:04 a.m., on July 21, 2011,
7 pursuant to Notice.

8 BEFORE: SUE M. FLINT, RPR, CSR 274
9 Notary Public, State of Hawaii

10
11 APPEARANCES:

12
13 For Plaintiffs: BENJAMIN BROWER, ESQ.
14 Dubin Law Offices
15 55 Merchant Street
16 Suite 3100
17 Honolulu, Hawaii 96813

18
19 For Defendants Option One Mortgage Corporation, now
20 known as Sand Canyon Corporation and H&R Block Bank:

21 SHELLIE K. PARK-HOAPILI, ESQ.
22 Alston Hunt Floyd & Ing
23 American Savings Bank Tower
24 1001 Bishop Street, Suite 1800
25 Honolulu, Hawaii 96813

1 Appearances (continued) :

2

3 For Defendant Residential Credit Solutions:

4 KARYN DOI, ESQ.

5 LEU & OKUDA

6 The Merchant House

7 222 Merchant Street

8 Main Floor

9 Honolulu, Hawaii 96813

10

11 For Defendant Old Republic Title & Escrow of Hawaii,
12 Ltd.:

13 KEVIN W. HERRING, ESQ.

14 Ashford & Wriston

15 Alii Place, Suite 1400

16 1099 Alakea Street

17 Honolulu, Hawaii 96813

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1 A. I don't know.

2 Q. How many times did you speak with Mr.
3 Lull?

4 A. A few. Maybe once or twice.

5 Q. How many times did you speak with Mr.
6 Peahu?

7 A. Never.

8 Q. Do you know when your first payment on the
9 loan was supposed to start?

10 A. I do not.

11 Q. Do you know when your last payment was
12 supposed to be made on the loan?

13 A. From what I saw on the paper, 2032 or
14 something like that. But before I saw it on the
15 paper, I had no idea. 30 years.

16 Q. Let's take a look at Exhibit 3, which is
17 the adjustable rate note. Can you just take a look
18 at that, please?

19 A. Okay.

20 Q. If you go sort of midway through paragraph
21 three, where it says Payments and there's a capital
22 A in parentheses and it says Time and Place of
23 Payments.

24 A. Capital A. Okay. Yes. Sorry.

25 Q. And it says: I will pay principal and

1 interest by making payments every month. I will
2 make my monthly payments on the first day of each
3 month beginning on January 1, 2007.

4 Do you see that?

5 A. Uh-huh.

6 Q. So in 2007, did you make payments?

7 A. I personally did not make a payment. Like
8 I said, I don't do the finances.

9 Q. Do you know whether payments were made in
10 2007?

11 A. I'm under the influence that yes, they
12 were. But I can't tell you that for sure. I didn't
13 make the payment myself.

14 Q. Do you know whether payments were made in
15 2008 for this loan?

16 A. I do not know.

17 Q. What about in 2009?

18 A. I do not know.

19 Q. Do you know whether any payments were made
20 on this loan up to today?

21 A. I'm sure payments were made. I saw stubs.
22 But as far as me physically paying them, no, I did
23 not pay.

24 Q. I'd like you to take a look at this.

25 MS. DOI: I'd like to have this marked as

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)

1 DEPOSITION OF NADINE K. TAMAYOSE,
2 Taken on behalf of Defendants Option One Mortgage
3 Corporation, now known as Sand Canyon Corporation,
4 and H&R Block Bank at American Savings Bank Tower,
5 1001 Bishop Street, 20th Floor Conference Room,
6 Honolulu, Hawaii 96813, commencing at 1:15 p.m., on
7 July 21, 2011, pursuant to Notice.

8 BEFORE: SUE M. FLINT, RPR, CSR 274
9 Notary Public, State of Hawaii

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11 APPEARANCES:

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1 A. If we had a conversation about it? No,
2 not to my knowledge, if we had a conversation
3 specifically about it, no.

4 Q. In your relationship with your husband,
5 it's you who pays the bills; correct?

6 A. Yeah, I do. I pay the daily bills, yes, I
7 do.

8 Q. As part of the daily bills, would the
9 mortgage payment be one of them that you would pay?

10 A. It would normally, yes.

11 Q. When you make those mortgage payments,
12 were you making them on a monthly basis starting on
13 January 1st, 2007?

14 A. I would believe so.

15 Q. And you were writing them on a check and
16 sending them to the mortgage company?

17 A. I would believe so.

18 Q. In 2007, did you make all of your
19 payments, every monthly payment from January through
20 December of 2007?

21 A. I don't recall. I can say I assume so.
22 Do I really recall in my head? No, I don't really
23 recall.

24 Q. Did you make any payments -- mortgage
25 payments in 2008?

1 A. Maybe. There's a possibility. I don't --
2 I don't recall.

3 Q. Do you remember when you made your last
4 payment on this mortgage loan?

5 A. No, I don't recall actually.

6 Q. Tell me all the reasons why payments
7 stopped.

8 A. In -- when?

9 Q. You tell me. When did you stop making
10 payments on this loan?

11 A. Yeah. See, I don't recall.

12 Q. Was it sometime in 2008?

13 A. It's a possibility. I don't recall.

14 Q. Was it --

15 A. I mean, I don't recall a specific date.

16 Q. Please turn to Exhibit 12.

17 A. Oh. Thank you.

18 Q. Do you recognize this exhibit?

19 A. Not really. But okay. No.

20 Q. Okay. Do you see in the top right-hand
21 corner it says Notice of Intent to Take Legal
22 Action, Date: 06/02/2008?

23 A. I see that date, yes.

24 Q. And then at the top left-hand corner it
25 says RCS. It has the logo and it says RCS and then

1 02/01/2008; and under the terms of the promissory
2 note that you signed, your loan is in default.

3 Do you see that?

4 A. I see it.

5 Q. Did you make any payments on February 1st,
6 2008?

7 A. I'm sure I must have made some kind of
8 payment.

9 Q. Did you make a payment on March 1st, 2008?

10 A. It's a possibility. It's a possibility.

11 Q. Did you make any payments --

12 A. I could have made payments, yeah.

13 Q. Did you make any payments between -- I'm
14 sorry. Strike that.

15 Did you make any payments between February
16 1st, 2008 and July 3rd, 2008?

17 A. February 1st, did you say, until --

18 Q. February 1st, 2008 until July 3rd, 2008,
19 did you make any payments between that time?

20 A. There's a possibility, yeah.

21 Q. Did you make the payment of \$33,697.29?

22 A. I'm not sure about that amount, though.

23 Q. Did you make \$30,000 --

24 A. No, I'm not sure about the amount.

25 Q. What amount do you think you paid during

1 that time?

2 A. I don't know. I don't know a specific
3 amount.

4 Q. Did you make your payment by check?

5 A. I think so.

6 Q. Was there any other form of payment that
7 you would remit your mortgage payments under this
8 loan?

9 A. What does that mean? Like another form of
10 payment; is that what you're saying?

11 Q. Correct.

12 A. Yeah. I mean, there's a possibility I
13 could have used a cashier's check or maybe even a
14 wire.

15 Q. Have you used a cashier's check or a wire
16 previously to pay this particular loan, make monthly
17 payments on this particular loan?

18 A. Maybe. I'm saying it's a possibility.

19 Q. As you sit here today, do you know what
20 the amount of the unpaid principal is on this loan?

21 A. Specific number? A specific number, yeah,
22 you're asking me?

23 Q. Specifically. Yeah, do you know
24 specifically?

25 A. I can't remember. Sorry.